

CARDIFF ACTION FOR SINGLE
HOMELESS, HUGGARD CENTRE
TRESILLIAN WAY, CARDIFF CF10 5JZ

TELEPHONE NUMBER: 029 2034 9980 FAX NUMBER: 029 2034 9981

FAX TRANSMISSION

TO: USPTO:- Christopher Bottorff Art Unit 3618

F.A.O: (001) 571 273 8300

FROM T.M PADDOK Fax Number (UK) 029 20

DATE: 7/4/06 NUMBER OF PAGES TO
FOLLOW: 19

349 981

MESSAGE:

Dear Chris;

Hopefully this petition for revival
of abandonment will be successful
and you will receive this
submission this time.

ATB. Tim.

PLEASE RING THE ABOVE TELEPHONE NO IF PAGES ARE
MISSING OR THERE ARE DIFFICULTIES IN TRANSMISSION.

CARDIFF ACTION FOR SINGLE HOMELESS IS AN EQUAL
OPPORTUNITIES EMPLOYER.

CARDIFF ACTION FOR SINGLE
HOMELESS, HUGGARD CENTRE
TRESILLIAN WAY, CARDIFF CF10 5JZ

TELEPHONE NUMBER: 029 2034 9980 FAX NUMBER: 029 2034 9981

FAX TRANSMISSION

TO: Christopher Bortoff U.S. Patent Office

F.A.O: Chris Bortoff

FROM Tim Paddock

DATE: 18/4/05 NUMBER OF PAGES TO
FOLLOW: 11

3rd Version

MESSAGE: Dear Chris, Due to your informal fax line being out of order making informal submission difficult, I have prepared this 3rd version which:- ONLY has part of Claim 21 inserted into Claim 15. This could be used if any of the prior submissions were unallowable for any reason I have been unaware of. Many Thanks, Tim.

PLEASE RING THE ABOVE TELEPHONE NO IF PAGES ARE
MISSING OR THERE ARE DIFFICULTIES IN TRANSMISSION.

CARDIFF ACTION FOR SINGLE HOMELESS IS AN EQUAL
OPPORTUNITIES EMPLOYER.

APR 07 2006

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Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)

First named inventor: Timothy Paddock
Application No.: 10/772562 Art Unit: 3618
Filed: 02/05/2004 Examiner: Christopher
Title: ALL Terrain Board Bottorff

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☒ Small entity-fee \$ 750 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☐ 2 times than what a small entity - I.H.S. 888888888888 (37 C) 5 1.17(p))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Final Office Action - Fee N/A (Identify type of reply):

☐ has been filed previously on N/A
☐ is enclosed herewith.

B. The issue fee and publication fee (if applicable) of \$ N/A
☐ has been paid previously on N/A
☐ is enclosed herewith.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PTO/SB/64 (10-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required *N/A*
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

Tim Paddock
Signature

7th April 2006
Date

TIMOTHY PADDOCK
Typed or printed name

Registration Number, if applicable

Address

02920216957
Telephone Number

Address

Enclosures: ☒ Fee Payment

☒ Reply

☐ Terminal Disclaimer Form

☒ Additional sheets containing statements establishing unintentional delay

☒ Other: Fax machine phone bill establishing prior submissions

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- ☐ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- ☒ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

7th April 2006
Date

Tim Paddock
Signature
TIM PADDOCK
Typed or printed name of person signing certificate

APR 07 2006

PAGE 6/20 * RCVD AT 4/7/2006 2:49:39 PM [Eastern Daylight Time] * SVR:USPTO-EF-XRF-5/7 * DNS:2738300 * CSID:02920230283 * DURATION (mm-ss):10-28

Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of the Agency's responsibility for the proper management of the Government's property practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.

PINtel

Fairway House,
Links Business Park,
St. Mellons,
Cardiff, CF3 0LT.

www.pinnacle-group.co.uk
sales@pinnacle-group.co.uk

Invoice Number: 21603
Date (And Tax Point): 11 May 2005
Billing Period (Ending): 30 April 2005

Pinnacle Telecom (Wales) Ltd
Fairway House
Links Business Park
St Mellons
Cardiff
CF3 0LT
billing@pinnacle-group.co.uk
VAT No. 664 4968 87

Page 1 of 6

Itemised Call Statement

Cardiff Action for Single Homeless - Cardiff

02920230283

Itemisation of calls £0.10 and above

Tel No.	Call Date	Time	Duration	Cost	Destination	Extn.	Called From
02920481100	01/04/2005	14:16:00	0:19	£0.14219	Cardiff - Local		02920230283
07800784046	01/04/2005	14:38:35	0:56	£0.17387	ORANGE MOBILE		02920230283
07791583305	04/04/2005	11:48:48	1:33	£0.28675	ORANGE MOBILE		02920230283
07555784046	04/04/2005	14:17:26	3:41	£0.68142	ORANGE MOBILE		02920230283
09458500454	05/04/2005	18:54:06	5:38	£0.31857	LOCAL RATE		02920230283
02920497370	05/04/2005	14:02:19	0:01	£0.20266	Cardiff - Local		02920230283
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0017038728306	18/04/2005	16:00:45	7:20	£0.35933	USA		02920230283
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0017038728306	18/04/2005	16:48:24	3:50	£0.28550	USA		02920230283
0017038728306	18/04/2005	16:55:48	3:41	£0.27848	USA		02920230283
02920672000	19/04/2005	11:49:17	4:37	£0.10588	Cardiff - Local		02920230283
02960029300	21/04/2005	10:03:07	5:58	£0.12833	Barbados		02920230283
09457218215	21/04/2005	10:00:01	4:23	£0.17007	LOCAL RATE		02920230283
07855784046	22/04/2005	10:21:22	0:30	£0.11717	ORANGE MOBILE		02920230283
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0078832346787	22/04/2005	11:52:03	7:47	£1.20642	RUSSIA		02920230283
0078832346787	22/04/2005	12:00:31	2:14	£0.34617	RUSSIA		02920230283
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0078832346787	22/04/2005	12:12:40	3:05	£0.48050	RUSSIA		02920230283
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07855784046	28/04/2005	18:21:30	0:30	£0.11100	ORANGE MOBILE		02920230283
				1349:10	£3.32759	90 calls under £0.10	

Please note this submission
to your offices.

Total Duration for 02920230283 : 4:56:20
Total Spend for 02920230283 : £15.39610

7th April 2006

Tim Paddock
49 Fishgaud Rd,
Llanishen,
Cardiff,
CF14 5PQ.

Mail Stop Petition,
Commissioner for Patents
United States Patent & Trademark Office,
P.O. Box 1450,
Alexandria,
VA 22313-1450.

Dear Sir / Madame

Please find enclosed within this fax transmission-

- A completed Form 64 Petition for revival of an application for patent abandoned unintentionally under 37 CFR 1.137(b).
- A completed Credit Card Payment Form 2038.
- A copy of an original response faxed to the USPTO on 18th April 2005.
- A copy of a fax machine phonebill evidencing this response faxed to the USPTO on that date timed at 16:48:24 and delivered to fax machine telephone number- (001) 7038729306.

These submissions are regarding my patent application No. 10/772562

Last year I attended to a final office action of this patent application. Discussion of phrasing this application into immediate condition for allowance was somewhat more difficult than usual due to the fact that my allocated US patent examiner (Mr. Christopher Bottorff) had recently moved offices and had no access to a personal fax machine. As a result of this I progressed the issue as much as was possible over the phone with my examiner whom I found to be extremely helpful. As discussing the detail of claims can however become confusing without being able to see and read the text under discussion it was agreed with my examiner that I would prepare a selection of responses enabling him to choose the one that he felt was immediately allowable in order to progress the patent to grant. This process would not have normally been necessary as such options could have been informally viewed by the examiner before formal submission. As I was and continue to be extremely keen to have this patent granted it seemed it was better to be safe than sorry under such circumstances.

Having agreed this with my examiner I then went ahead and submitted four responses to the USPTO via fax. Evidence of these submissions can be seen on the attached fax machine phone bill. To ensure they had been correctly received by the USPTO I then also phoned up and requested one of your employees to email me Tiff files showing receipt of these four submissions, which was duly done as requested. I then phoned my examiner to check if

anything more need be done and he informed me that everything should be fine and he would process the responses as soon as he received them.

I did not then hear anything from the USPTO for almost a year when I received a notification of abandonment (only recently forwarded to me by my US Attorney). You can imagine how shocked and surprised I was to receive this notification after trying so hard to ensure my patent application would be successfully progressed to grant. I phoned my patent examiner (Mr. Christopher Bottorff) and he informed me that he had unfortunately never received my submissions despite making a request that they be traced.

In order to progress the situation I then forwarded a copy of all four of my original submissions to Mr Bottorff on his now functioning personal fax machine. Upon receipt of these he confirmed that the version now enclosed with this petition for revival of abandonment would place my patent in position for immediate allowance to grant and he would have completed this stage of the process if he had received the submissions.

I do not know the reason for my submissions never reaching the examiner, they were definatly received by the USPTO so perhaps an administration error on my part or your part has prevented them from reaching their intended destination. Regardless of the reasons I would be most gratefull if this submission could now be forwarded to my patent examiner Mr. Christopher Bottorff, Art Unit 3618 in order that it may be processed as originally intended.

I hope the USPTO will understand that the abandonment of this patent application was entirely unintentional and contrary to my wishes as described.

I am afraid that I am unable to send you copies of the TIFF file receipts for my previous four submissions sent to me by the USPTO as I could not print them without a TIFF Reader software and the computer I had saved them on became unfortunately infected by a virus and the files were lost. If the USPTO will accept the evidence presented with this application for revival of my previous four submissions then perhaps I may be due a reimbursement for the fees associated with this procedure. I did try to phone the USPTO to ask them to trace the receipt of the previous four submissions but am afraid I found this request impossible to pursue within scope of the switchboard system operatives roles. Perhaps though if detailed fax machine records are kept you will be able to validate receipt of these items against your own records, if this is a necessary part of this revival process.

I thank you for your time considering this request and hope this submission reaches the examiner in order that my patent application may be granted.

Yours Sincerely,



Tim Paddock